

Adopted at Meeting of 9/9/76

BOARD OF APPEAL REFERRALS

September 9, 1976

1. Z-3645 George F. Hanley
43 Nonantum Street, Brighton
2. Z-3648 Prentice Realty Trust; Antonio D'Alessio (lessee)
112-116 State Street, Boston
3. Z-3651-3653 Philip X. Carr
220-222-224 Bunker Hill Street and
91 School Street, Charlestown
4. Z-3654 Roman Catholic Archbishop of Boston
420 Pond Street, Jamaica Plain
5. Z-3655 Frank Piazza
43-45 Granger Street, Dorchester
6. Z-3656-3657 Edward Vozzella and James F. Mahoney
2480-2484 Centre Street, West Roxbury
7. Z-3659 Edward Seferian
221-223 Hancock Street, Dorchester
8. Z-3660 First and Second Unitarian Congregational Church
64 Marlborough Street, Boston
9. Z-3662 Greater Boston Fund for International Affairs
28-30 Mount Vernon Street, Boston
10. Z-3663 Angelo Zagarelli
24 Peaceable Street, Brighton
11. Z-3668 Vendome Condominium Trust - Rolly-Michaux Galleries
154-170 Commonwealth Avenue and 290 Dartmouth Street, Boston
12. Z-3669 Thomas J. Benner
19-21 Woodward Street, South Boston
13. Z-3670 Edward A. Lang
21-23 Pratt Street, Brighton
14. Z-3671 L & S Realty
119-127 Orleans Street, East Boston
15. Z-3672 Nicholas Shaheen
167-169 Spring Street, West Roxbury
16. Z-3675 Colonial Provision Co., Inc.
301 Southampton Street, Boston
17. Z-3678 Savin Hill Yacht Club, Inc.
400 William T. Morrissey Boulevard, Dorchester

MEMORANDUM

September 9, 1976

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert T. Kenney, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 9/14/76

Petition No. Z-3645
George J. Hanley
43 Nonantum Street, Brighton
near Oak Square

2½-story frame structure - residential (R-.5) district.

Purpose: to erect one-car garage addition to one-family dwelling.

Violations:

| | <u>Required</u> | <u>Proposed</u> |
|--|-----------------|-----------------|
| Section 19-1. Side yard is insufficient. | 10 ft. | 5 ft. |
| Section 20-1. Rear yard is insufficient. | 4 ft. | 30 ft. |

Concrete block garage is located under a roofed open porch at the rear of the dwelling. Yard deficiencies are minimal. Neighbors have no objection.
Recommend approval.

VOTED: In reference to Petition No. Z-3645, brought by George J. Hanley, 43 Nonautum Street, Brighton, for two variances to erect a one-car garage addition to a one-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Yard deficiencies are minimal. Neighbors have no objection.

Z-3645

43 NONANTUM ST.
(BRI.)



Board of Appeal Referrals 9/9/76

Hearing: 9/14/76

Petition No. Z-3648
Prentice Realty Trust
Antonio D'Alessio (lessee)
112-116 State Street, Boston
near Merchants Row

Six-story structure - general business (B-8) district.

Purpose: to erect a 4' x 4' projecting sign.

Violations:

Section 11-2. Exposed guy wires and/or turnbuckles are not allowed.

Section 11-2. The registered trademark of a specific commodity may not occupy more than 25% of the area of a sign.

Property is located in a conservation section of the Waterfront Project. Sign, which would indicate location of pizza and sandwich shop, is contrary to objectives of the Urban Renewal Plan which insure the preservation and improvement of individual properties. "Coke" trademark grossly exceeds code allowance. Recommend denial.

VOTED: In reference to Petition No. Z-3648, brought by Prentice Realty Trust and Antonio D'Alessio, 112-116 State Street, in the Waterfront Urban Renewal Area, for a conditional use to erect a projecting sign in a general business (B-8) district, the Boston Redevelopment Authority recommends denial. Property is located in a conservation section of the Waterfront Project. Sign, which would indicate location of a pizza and sandwich shop, is contrary to objectives of the Urban Renewal Plan which insure the preservation and improvement of individual properties. "Coke" trademark grossly exceeds code allowance.



Board of Appeal Referrals 9/9/76

Hearing: 9/14/76

Petitions Nos. Z-3651-3653

Philip X. Carr

220-222-224 Bunker Hill Street and
91 School Street, Charlestown

Three frame structures (2½, 2, 2½ stories) - local business (L-1) district.

Purpose: to combine buildings for occupancy as funeral home.

Violations:

Section 8-6. A change in a conditional use requires Board of Appeal approval.

Section 8-7. A funeral home is conditional in an L-1 district.

Existing funeral home at #220 would incorporate abutting row structures. Facility expansion would improve the properties. Sufficient off-street parking is already provided. Recommend approval with design review proviso.

VOTED: In reference to Petitions Nos. Z-3651-3653, brought by Philip X. Carr, 220-224 Bunker Hill Street and 91 School Street, in the Charlestown Urban Renewal Area, for a conditional use to combine buildings for occupancy as funeral home in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review. Facility expansion would improve the properties. Sufficient off-street parking is already provided.

Z-3651-53
220-224 BUNKER HILL ST.
91 SCHOOL ST.
(Chsn.)



Board of Appeal Referrals 9/9/76

Hearing: 9/9/76

Petition No. Z-3654
Roman Catholic Archbishop of Boston
420 Pond Street, Jamaica Plain
near Avon Street

Children's home - single-family (S-.3) district.

Purpose: to change occupancy from children's home and administrative facilities to children's home, administrative facilities, and day care center.

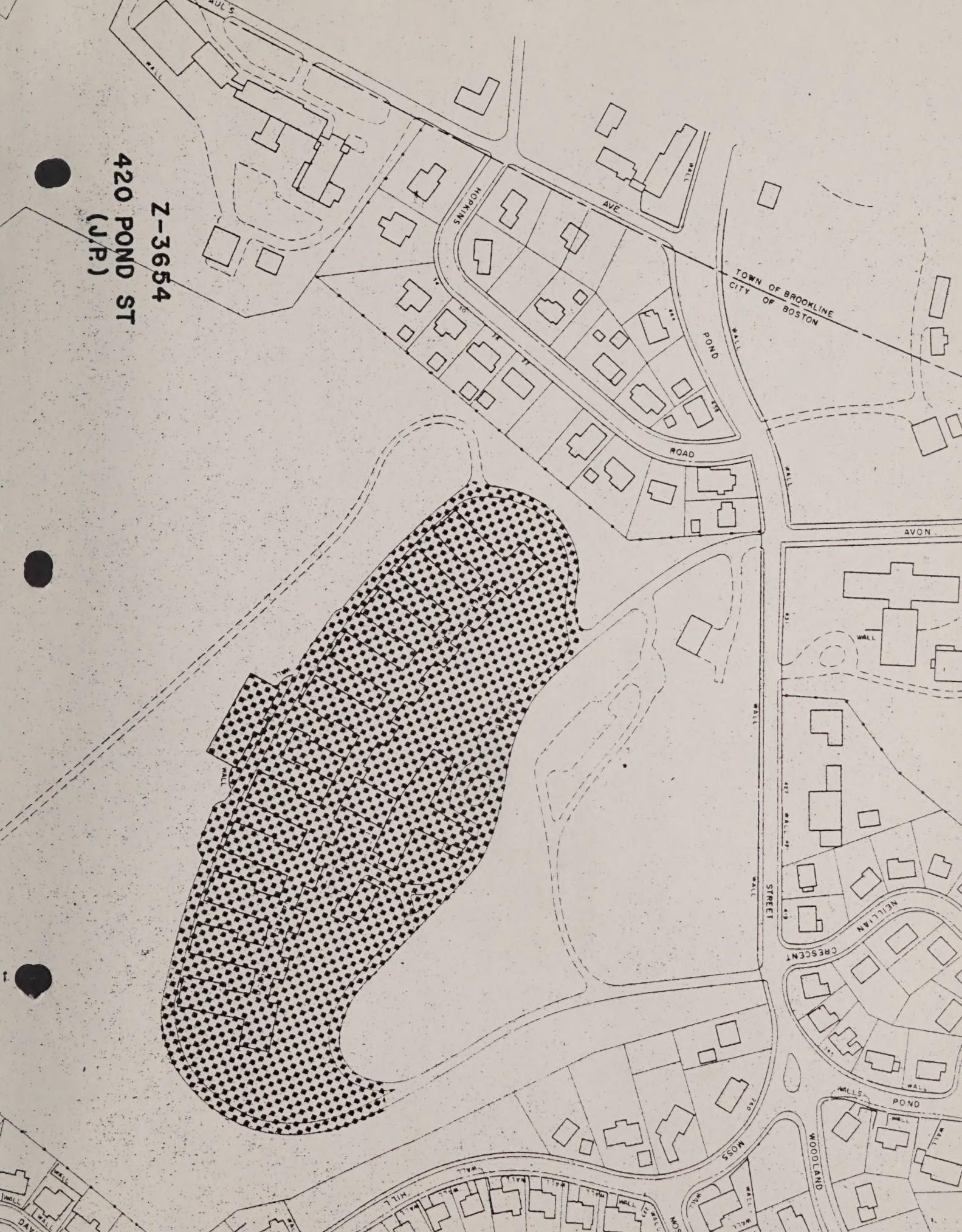
Violation:

Section 8-7. A day care center is conditional in an S-.3 district.

Day care facility would accommodate 50 children. Adequate play space and off-street parking are existing. Proposal would not require structural changes. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3654, brought by the Roman Catholic Archbishop of Boston, 420 Pond Street, Jamaica Plain, for a conditional use for a change of occupancy from children's home and administrative facilities to children's home, administrative facilities, and day care center in a single-family (S-.8) district, the Boston Redevelopment Authority recommends approval provided facility complies with all City and State day care regulations.

Z-3654
420 POND ST
(J.P.)



Board of Appeal Referrals 9/9/76

Hearing: 9/21/76

Petition No. A-3655
Frank Piazza
43-45 Granger Street, Dorchester
near Duncan Street

2½-story frame structure - residential (R-.8) district.

Purpose: to subdivide land.

Violation:

| | <u>Required</u> | <u>Proposed</u> |
|---|-----------------|-----------------|
| Section 14-2. Lot area is insufficient. | 6,500 sf | 5,760 sf |

Proposed subdivision involves 270 square feet of land to allow petitioner to supply abutting lot with space for off-street parking. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3655, brought by Frank Piazza, 43-45 Granger Street, Dorchester, for a variance to subdivide land in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the proviso that the land be used only for off-street parking.

Z-3655
43-45 GRANGER ST.
(DOR.)



Board of Appeal Referrals 9/9/76

Hearing: 9/21/76

Petitions Nos. Z-3656-3657
Edward Vozzella and James F. Mahoney
2480-2484 Centre Street, West Roxbury
at Maple Road

14,043 square feet of vacant land - single-family (S-.5) district.

Purpose: to erect two two-family dwellings.

Violations:

| | <u>Required</u> | <u>Proposed</u> |
|---|-----------------|----------------------|
| Section 8-7. A two-family dwelling is forbidden in an S-.5 district. | | |
| Section 10-1. Parking not allowed in required front yard nor within five feet of side lot line. | | |
| Section 14-2. Lot area is insufficient. | 10,000 sf | 7,000 sf 7,043 sf |
| Section 18-1. Front yard is insufficient. | 30 ft. | 15 ft. 20 ft. |

Proposal would be out of character with the predominantly single-family neighborhood, and difficult site creates hazardous parking and traffic conditions. Recommend denial.

VOTED: In reference to Petitions Nos. Z-3656-3657, brought by Edward Vozzella and James F. Mahoney, 2480-2484 Centre Street, West Roxbury, for a forbidden use and three variances to erect two two-family dwellings in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial. Proposal would be out of character with the predominantly single-family neighborhood, and difficult site creates hazardous parking and traffic conditions.

Z-3656-57
2480-2484 CENTRE ST.

(W.R.)

Board of Appeal Referrals 9/9/76

Hearing: 9/21/76

Petition No. Z-3659
Edward Seferian
221-223 Hancock Street, Dorchester
near High Street

Gas service station - local business (L-.5) district.

Purpose: to change occupancy from gas service station to repair shop garage and display, storage, and sale of used cars.

Violations:

Section 8-6. A change in a conditional use requires Board of Appeal hearing.

Section 8-7. Outdoor storage and display of used motor vehicles is forbidden in an L-.5 district.

Repair facility is acceptable provided petitioner complies with Board of Appeal guidelines.

Sale of used cars, with its attendant activity, would tend to have a blighting influence on adjacent residential neighborhood.

Recommend approval with proviso of repair garage and denial of used car sales.

VOTED: In reference to Petition No. Z-3659, brought by Edward Seferian, 221-223 Hancock Street, Dorchester, for a conditional use and a forbidden use in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval of repair garage provided petitioner complies with Board of Appeal guidelines and denial of sale of used cars. This use with its attendant activity would tend to have a blighting influence on adjacent residential neighborhoods.



Board of Appeal Referrals 9/9/76

Hearing: 9/14/76

Petition No. Z-3660
First and Second Unitarian
Congregational Church
64 Marlborough Street, Boston
at Berkeley Street

Church structure - apartment (H-5-70) district.

Purpose: to change occupancy from church, parish house, and day nursery (54 children) to church, parish house, day nursery (64 children) and miscellaneous hall.

Violation:

Section 8-6. A change in a conditional use requires Board of Appeal approval.

Section 8-7. A miscellaneous hall is forbidden in an H-5-70 district.

Nursery and hall facilities will be beneficial to the surrounding residential neighborhood. Proposal complies with conditional use requirements. Recommend approval.

VOTED: In reference to Petition No. Z-3660, brought by First and Second Unitarian Congregational Church, 64 Marlborough Street, Boston, for a conditional use and a forbidden use in an apartment (H-5-70) district, the Boston Redevelopment Authority recommends approval. Nursery and hall facilities will be beneficial to the surrounding residential neighborhood. Proposal complies with conditional use requirements.

(B. P.)

2-3660

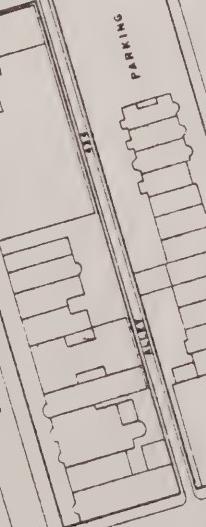
64 MARLBOROUGH ST.

ST.
BOYLSTON

ST.

NEWBURY

COMMONWEAL:



COMMONWEALTH

WALK

FIRST BAPTIST
CHURCH

CHURCH OF THE
Covenant

MAP-BOROUGH

DARTMOUTH

CLARENDON

BERKELEY

STREET

AVENUE

AVENUE

FIRST LUTHERAN
CHURCH

ALLEY

MEMORIAL

MALL

BACK

CON-

ST.

9

Board of Appeal Referrals 9/9/76

Hearing: 9/28/76

Petition No. Z-3662
Greater Boston Fund for International
Affairs
28-30 Mount Vernon Street, Boston
near Joy Street

Four-story structure - apartment (H-2-65) district.

Purpose: to change occupancy from one-family dwelling to adult education center, community center, school of language and culture, private club, offices.

Violations:

Section 8-7. A school of language and culture is conditional in an H-2-65 district.

Section 8-7. An adult education center or community center with outdoor recreation area less than 20 feet from any lot line is forbidden in an H-2-65 district.

Section 8-7. A private club with outdoor recreation area less than 20 feet from any lot line is forbidden in an H-2-65 district.

Section 8-7. Offices are forbidden in an H-2-65 district.

Proposal would convert property from taxpaying to nontaxpaying status, and activities proposed would have considerable impact on the residential character of the area. Uses would increase congestion, intensify the acute on-street parking shortage, and tend to create noise. There is insufficient evidence to justify granting the proposal. Strong community opposition is indicated. Recommend denial.

VOTED: In reference to Petition No. Z-3662, brought by the Greater Boston Fund for International Affairs, 28-30 Mount Vernon Street, Boston, for a conditional use and three forbidden uses for a change of occupancy from one-family dwelling to adult education center, community center, school of language and culture, private club, and offices in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends denial. Proposal would convert property to tax-exempt status, and proposed activities would have considerable impact on the residential character of the area. Uses would increase congestion, intensify the already acute on-street parking shortage, and tend to create noise. There is insufficient evidence to justify granting the proposal. Strong community opposition is indicated.

Z-3662
28-30 MT. VER
(B. P.)

M.I.VE
(B.R.)

Board of Appeal Referrals 9/9/76

Hearing: 9/28/76

Petition No. Z-3663
Angelo Zagarelli
24 Peaceable Street, Brighton
near Academy Hill Road

Two-story masonry structure - residential (R-.8) district.

Purpose: to change occupancy from four to six apartments.

Violations:

Required Proposed

Section 8-7. A dwelling converted for more families which meets one-half the requirements of lot area and open space is conditional in an R-.8 district.

Section 14-2. Lot area is insufficient. 12,500 sf 10,152 sf

Section 17-1. Open space is insufficient. 800 sf 750 sf

Proposed increase in density (basement apartments) is inappropriate. This residential street is narrow and one-way; on-street parking can be accomplished only with right wheels placed on sidewalk. Additional traffic would intensify existing hazardous conditions. Neighbors are opposed.

Recommend denial.

VOTED: In reference to Petition No. Z-3663, brought by Angelo Zagarelli, 24 Peaceable Street, Brighton, for a conditional use and two variances for a change of occupancy from four to six apartments in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Proposed increase in density is inappropriate. This residential street is narrow and one-way; on-street parking can be accomplished only with right wheels placed on sidewalk. Additional traffic would intensify existing hazardous conditions. Neighbors are opposed.

WASHINGTON



Board of Appeal Referrals 9/9/76

Hearing: 9/14/76

Petition No. Z-3668
Vendome Condominium Trust
Rolly-Michaux Galleries
154-170 Commonwealth Avenue and
290 Dartmouth Street, Boston

Six-story structure - apartment (H-5-70) district.

Purpose: to erect two wall signs and one window sign.

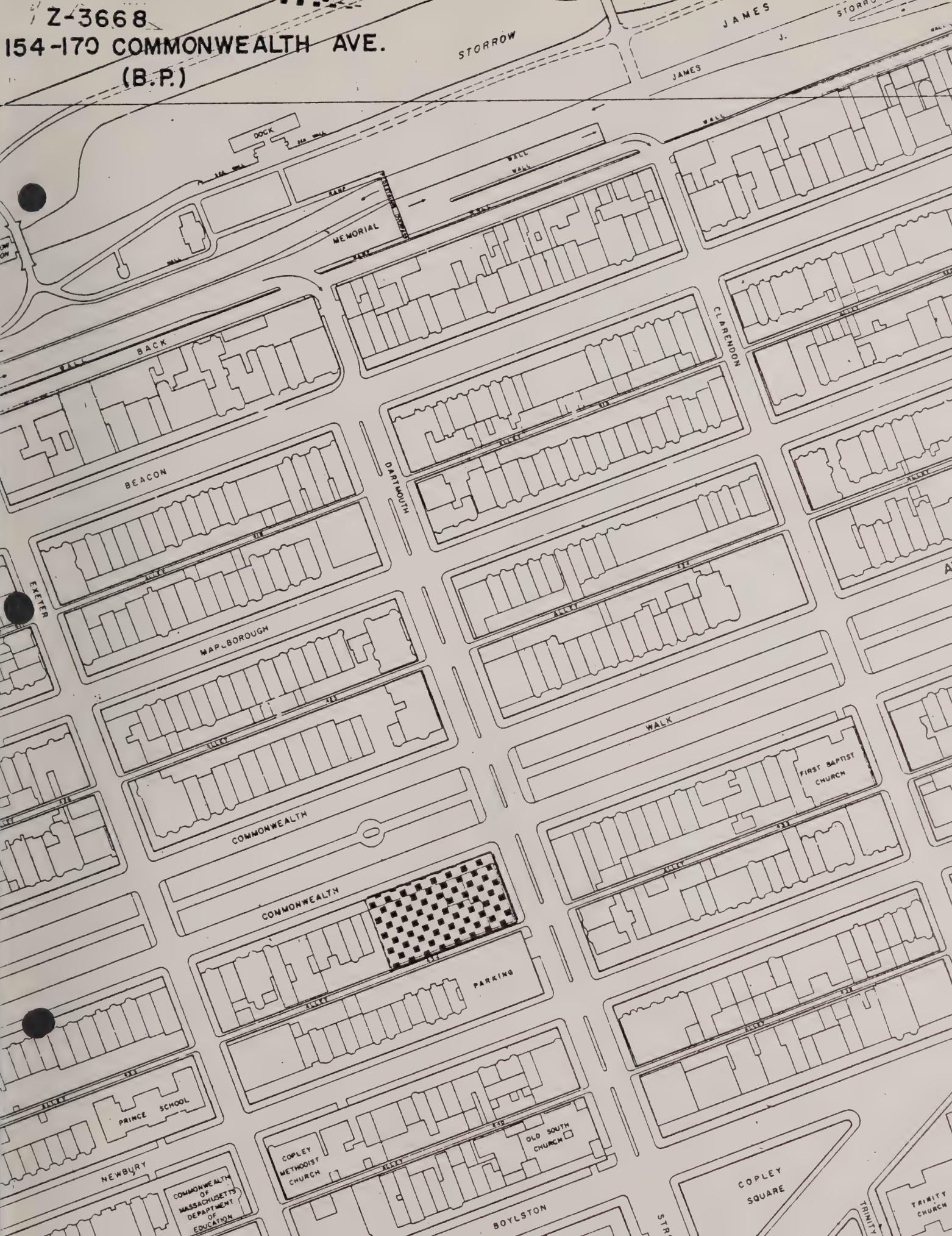
Violation:

Section 11-1. The number of signs proposed exceeds the number allowed in an H-5-70 district.

Nonilluminated signs indicating first floor art gallery have been reviewed and approved by the Back Bay Architectural Commission.

Recommend approval.

VOTED: In reference to Petition No. Z-3668, brought by the Vendome Condominium Trust and Rolly-Michaux Galleries, 154-170 Commonwealth Avenue and 290 Dartmouth Street, Boston, for a conditional use to erect three signs in an apartment (H-5-70) district, the Boston Redevelopment Authority recommends approval. Signs have been reviewed and approved by the Back Bay Architectural Commission.



Board of Appeal Referrals 9/9/76

Hearing: 10/5/76

Petition No. Z-3669

Thomas J. Benner

19-21 Woodward Street, South Boston
near Dorchester Avenue

Three-story frame structure - apartment (H-1-50) district.

Purpose: to change occupancy from two-family dwelling and coffee shop
to lodging house (12 lodgers)

Violations:

Required ProposedSection 9-2. A lodging house is conditional in an
H-1-50 district.

Section 14-2. Lot area is insufficient. 10,000 sf 1,290 sf

Use, apparently a halfway house for alcoholics, is existing. Vehicular access is severely restricted by the narrowness of this one-way street, and parking can be accomplished only by leaving cars partially on sidewalk. Community is strongly opposed to use, which would also intensify congestion in the area. Recommend denial.

VOTED: In reference to Petition No. Z-3669, brought by Thomas J. Benner, 19-21 Woodward Street, South Boston, for a conditional use and a variance for a change of occupancy from two-family dwelling and coffee shop to lodging house in an apartment (H-1-50) district, the Boston Redevelopment Authority recommends denial. Use, apparently a halfway house for alcoholics, is existing. Vehicular access is severely restricted by the narrowness of this one-way street, and parking can be accomplished only by leaving cars partially on sidewalk. Community is strongly opposed to use, which would also intensify congestion in the area.



Board of Appeal Referrals 9/9/76

Hearing: 10/5/76

Petition No. Z-3670
Edward A. Lang
21-23 Pratt Street, Brighton
near Linden Street

2½-story frame structure - residential (R-.8) district.

Purpose: To legalize existing occupancy - four apartments.

Violations:

| | <u>Required</u> | <u>Proposed</u> |
|--|-----------------|-----------------|
|--|-----------------|-----------------|

Section 8-7. Any dwelling converted for more families which does not meet the requirements of lot area is forbidden in an R-.8 district.

Section 14-2. Lot area is insufficient. 9,500 sf 6,666 sf

Proposal congests a structure never intended for multiple occupancy and intensifies existing overcrowded conditions on the residential street.
Recommend denial.

VOTED: In reference to Petition No. Z-3670, brought by Edward A. Lang, 21-23 Pratt Street, Brighton, for a forbidden use and a variance to legalize existing occupancy of four apartments in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Proposal congests a structure never intended for multiple occupancy and intensifies existing overcrowded conditions on the residential street.

Z-3670
21-23 PRATT ST.



Board of Appeal Referrals 9/9/76

Hearing: 10/5/76

Petition No. Z-3671
L & S Realty
119-127 Orleans Street, East Boston
near Gove Street

Two-story masonry structure - apartment (H-1) district.

Purpose: to change occupancy from bottling plant to warehouse.

Violation:

Section 9-2. A change in a nonconforming use requires Board of Appeal hearing.

Warehouse, for the storage of electrical contracting supplies and fixtures, is existing without apparent adverse impact on this mixed residential-commercial-manufacturing area. Recommend approval.

VOTED: In reference to Petition No. Z-3671, brought by L & S Realty, 119-127 Orleans Street, East Boston, for a change in a nonconforming use for a change of occupancy from bottling plant to warehouse in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval. Use is existing without apparent adverse impact on this residential-commercial-manufacturing area.

Z-3671

119-127 ORLEANS ST.
(E. B.)

Board of Appeal Referrals 9/9/76

Hearing: 10/5/76

Petition No. Z-3672
Nicholas Shaheen
167-169 Spring Street, West Roxbury
near Baker Street

Gas service station - local business (L-.5) district.

Purpose: to erect one-story addition to gas service station.

Violation:

Section 8-7. A gas service station is conditional in an L-.5 district.

Addition of bay to existing office structure would not have an adverse effect on the area. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3672, brought by Nicholas Shaheen, 167-169 Spring Street, West Roxbury, for a conditional use to erect a one-story addition to a gas service station in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval provided facility complies with Board of Appeal guidelines for gas service stations.

Z-3672

**167-169 SPRING ST.
(W.R.)**



Board of Appeal Referrals 9/9/76

Hearing: 9/21/76

Petition No. Z-3675
Colonial Provision Co., Inc.
301 Southampton Street, Boston
near Ellery Street

One-story structure - industrial (I-2) district.

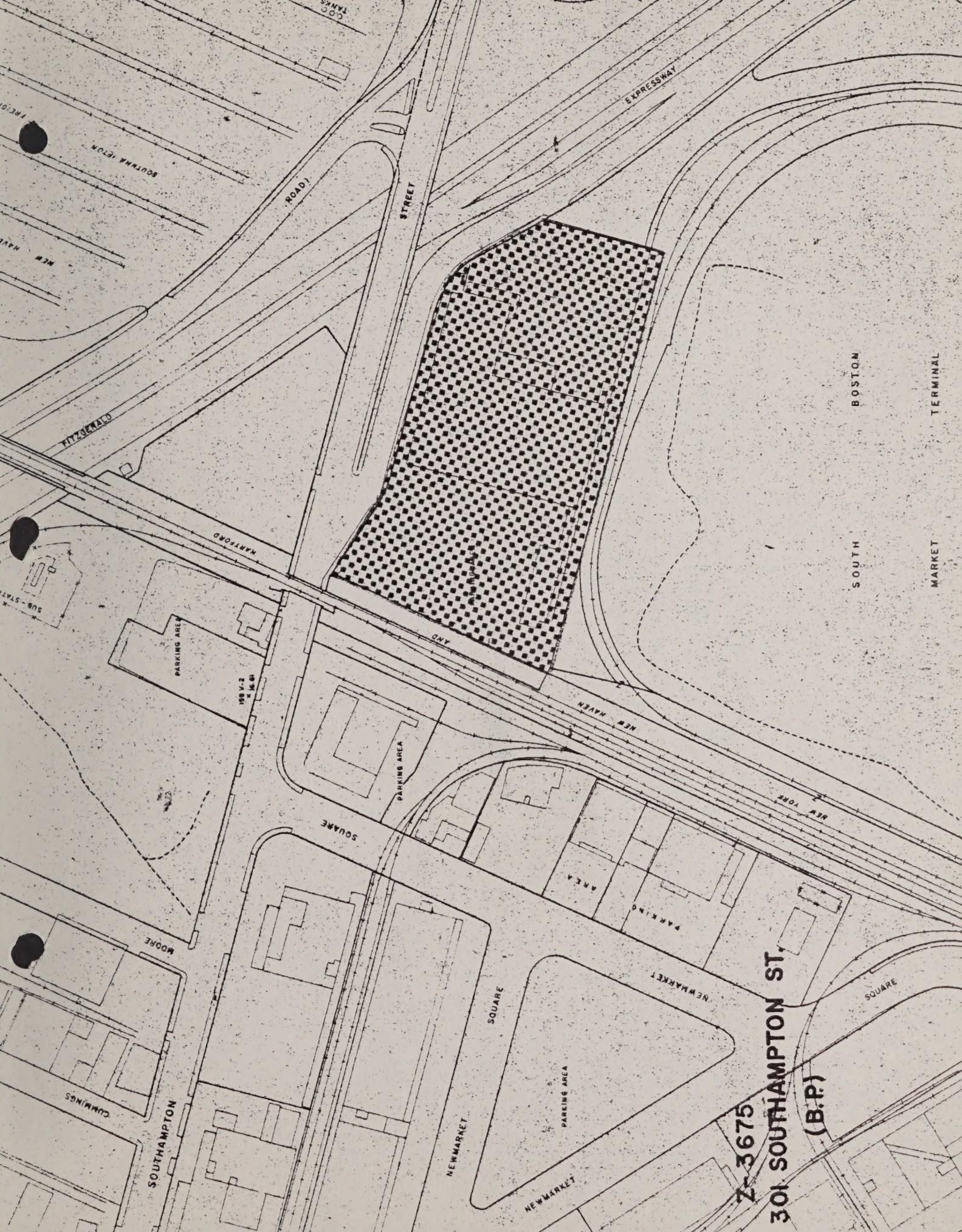
Purpose: to erect two signs - nonilluminated plastic letters.

Violation:

Section 11-2. The top of a sign attached parallel to a building may be no higher than the lowest point of the roof surface of the building.

Structure is bounded by the Southeast Expressway and a bridge viaduct. Signs, which have been reviewed by staff, will tend to relieve identification problems. Architectural features of the building will not be affected. Recommend approval.

VOTED: In reference to Petition No. Z-3675, brought by Colonial Provision Co., Inc., 301 Southampton Street, Boston, for a conditional use to erect two nonilluminated signs in an industrial (I-2) district, the Boston Redevelopment Authority recommends approval. Signs will tend to relieve identification problems and will not affect architectural features of the structure.



Board of Appeal Referrals 9/9/76

Hearing: 9/14/76

Petition No. Z-3678
Savin Hill Yacht Club, Inc.
400 William T. Morrissey Boulevard,
Dorchester
near Fox Point Road

Yacht Club complex - single family (S-.5) district.

Purpose: to install 5,000-gallon underground tank.

Violation:

Section 9-2: A change in a nonconforming use requires Board of Appeal approval.

Proposed storage tank would replace existing obsolete 2,000-gallon facility and require fewer deliveries. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3678, brought by Savin Hill Yacht Club, Inc., 400 William T. Morrissey Boulevard, Dorchester, for a change in a nonconforming use to install a 5,000-gallon underground gasoline tank in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval provided petitioner complies with all City and State safety regulations.